

EXHIBIT C:
OF FOURTH DECLARATION
OF ALAN G. CRONE
(AFFIDAVIT OF JOHN C. FREDRICKSON)

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Southern Division**

**AVARY LEIGH, individually and on
behalf of all similarly situated persons,**

Plaintiff

v.

PEPSI BOTTLING GROUP, INC.

Defendant

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Case No. 8:10-cv-00218-DKC

**AFFIDAVIT OF JOHN C. FREDRICKSON, ESQUIRE
IN SUPPORT OF PLAINTIFFS' REVISED SECOND SUPPLEMENTAL
MEMORANDUM IN SUPPORT OF
PLAINTIFFS' SUPPLEMENTAL MOTION TO APPROVE SETTLEMENT**

I, John C. Fredrickson, the undersigned, am over eighteen years of age, am competent to testify and have personal knowledge of the facts stated herein.

1. I obtained a *juris doctor* degree from the University of Baltimore School of Law in 1983 and was admitted to the Maryland bar in December, 1983. I was admitted and qualified as an attorney and counselor by the United States District Court for the District of Maryland in January, 1984. Since my admissions, I have remained a member in good standing in both the bars of Maryland and United States District Court for the District of Maryland.

2. I was a partner in the law office of Fossett & Brugger, Chartered from 1993 until 2005, when the firm merged with O'Malley, Miles, Nylen & Gilmore, P.A., 11785 Beltsville Dr., 10th Floor, Calverton, Maryland, 20705. I have been a shareholder in the law firm of O'Malley, Miles, Nylen & Gilmore, P.A. since 2005, where I am a member of the Litigation Practice Group. My practice areas include commercial, business and complex civil litigation, corporate law, employment law and creditor rights. In over 26 years of my law practice, I have represented

clients in numerous trials in the courts of Maryland and the United States District Court for the District of Maryland. I have the requisite legal education, knowledge, skills and experience and I hereby attest that I am qualified to serve as local counsel in this case.

3. I am an active member of both the Maryland State Bar Association and the Prince George's County Bar Association.

4. In the above-entitled case I have served as local counsel for Alan G. Crone, Esquire of Crone & McEvoy, PLC, 5583 Murray Rd., Suite 120, Memphis, Tennessee, 38119. I have worked with Mr. Crone in other matters over the span of 13 years, including cases before this Honorable Court. Over those 13 years, I have become familiar with both the high quality of the legal work performed by Mr. Crone on behalf of his clients and the highest ethical standards that he employs in his practice. Mr. Crone is an experienced litigator, who is qualified, both in terms of his legal knowledge and trial experience, to perform all aspects of the legal representation of Mr. Avary Leigh and the class of similarly situated persons in the above-entitled case.

5. My hourly billing rate of \$350.00 per hour is founded primarily on my legal education, legal training, years of experience in the practice of law and the quality of my legal practice. My hourly billing rate is well within the range of hourly rates charged by other attorneys in the Maryland and Washington D.C. areas with similar education and experience. My hourly billing rate of \$350.00 is within the range of hourly fees for an attorney with more than 25 years of experience as set forth in D. Md. Rules Appx. B 3.d.

6. I have personally reviewed all of my billing records that have been submitted to this Court as part of Plaintiffs' Revised Second Supplemental Memorandum in Support of Plaintiffs' Supplemental Motion to Approve Settlement and/or as previously submitted. I believe and hereby attest, that all such charges are fair and reasonable, are customary and

reasonable for legal charges in similar cases in the Maryland/Washington, D.C. areas and, with regard to the nature of the legal representation, are well within the guidelines established by D. Md. Rules and are not duplicative of functions performed by other attorneys representing the plaintiffs' interests.

I hereby declare, under the penalty of perjury, that the preceding statements are true and correct.

Dated: October 1, 2011

/s/
John C. Fredrickson, Esquire
Federal Bar No. 02566
O'MALLEY, MILES, NYLEN & GILMORE, P.A.
11785 Beltsville Drive, Tenth Floor
Calverton, MD 20705
Phone: (301) 572-1935
Fax: (301) 572-6655
jfredrickson@omng.com